

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

DANIEL KANG,)	CIVIL ACTION NO.
)	
Plaintiff,)	4:21-CV-111-WTM-CLR
)	
vs.)	
)	
THE MAYOR AND ALDERMEN OF THE)	
CITY OF SAVANNAH and ROY W.)	
MINTER, JR., Chief of Police)	
for the City of Savannah,)	
Georgia, In His Individual)	
and Official Capacities,)	
)	
Defendants.)	

VIDEOCONFERENCE DEPOSITION OF
LIEUTENANT TORRANCE GARVIN

August 31, 2022

10:31 a.m.

218 West State Street
Savannah, Georgia

Thomas J. Dorsey, RPR, CCR-2781

<div style="text-align: center;"></div>		
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Daniel Kang
Jamar Bacon
Mike Arango, (By Videoconference)

— — —

2 of 13 sheets

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<div>4</div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> <div> <div>(Reporter disclosure made pursuant to Article 10.B. of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia.)</div> <div>TORRANCE GARVIN,</div> <div>having first been duly sworn, was examined and testified as follows:</div> <div>MR. SCHIAVONE: This is the deposition -- Mr. Garvin, what is your rank? I can't see from here.</div> <div>THE WITNESS: Lieutenant, Mr. Schiavone.</div> <div>MR. SCHIAVONE: All right.</div> <div>THE WITNESS: Yes, sir.</div> <div>MR. SCHIAVONE: All right. This is the deposition of Lieutenant Garvin pursuant to notice under the Federal Rules of Civil Procedure. I assume all objections except to the form of the question are reserved?</div> <div>MR. O'CONNOR: That is agreed. And Lieutenant Garvin will reserve reading and signing.</div> <div>MR. SCHIAVONE: All right.</div> <div>EXAMINATION</div> <div>BY MR. SCHIAVONE:</div> <div>Q. Lieutenant Garvin, would you state your</div> <div>Gilbert & Jones</div> </div>	<div>6</div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> <div> <div>Q. Let's go back. Back in 2019, do you recall what division you were assigned to?</div> <div>A. I probably was assigned to the special ops division, if I'm not mistaken, which would include traffic, K-9, and minor patrol and all other collateral units.</div> <div>Q. All right. Are you aware of the incident pertaining to Pernell Drayton, the execution of an arrest warrant?</div> <div>A. Somewhat familiar.</div> <div>MR. SCHIAVONE: All right. If Dan is there, Dan, can you get the use-of-force form? Let's get it marked as an exhibit on Pernell Drayton.</div> <div>MR. O'CONNOR: Off the record.</div> <div>Did you bring the exhibits from the other day?</div> <div>THE REPORTER: I did.</div> <div>MR. O'CONNOR: Yeah. So we're on No. 5, right?</div> <div>THE REPORTER: Correct.</div> <div>MR. KANG: Yes. Do you want me to verify which one?</div> <div>MR. WILSON: So, Mike, can you go back and reask that question and clarify which</div> <div>Gilbert & Jones</div> </div>

7 EXHIBIT 12	9
<p>1 use-of-force exhibit you're asking for as an</p> <p>2 Exhibit 5 -- Exhibit 5, I think?</p> <p>3 MR. SCHIAVONE: Okay. It's been marked.</p> <p>4 It would have been dated August 3rd, 2019,</p> <p>5 show-of-force form, I believe, that it pertained</p> <p>6 to the Pernel incident.</p> <p>7 MR. WILSON: We've got it.</p> <p>8 MR. SCHIAVONE: If we can give that --</p> <p>9 what number would that be now?</p> <p>10 MR. WILSON: I think it's 5, right?</p> <p>11 MR. O'CONNOR: Yes.</p> <p>12 MR. SCHIAVONE: I think so. That was the</p> <p>13 last one. All right. Get that marked as</p> <p>14 Exhibit 5 for me.</p> <p>15 (Exhibit 5 was marked for identification.)</p> <p>16 THE WITNESS: And if I may, if this</p> <p>17 happened in 2019, I had several units, so I</p> <p>18 would have also had the special investigation</p> <p>19 unit which is known as our SIU unit.</p> <p>20 MR. SCHIAVONE: All right. That's fine.</p> <p>21 THE WITNESS: Which would consist of --</p> <p>22 which would consist of our gang unit and our</p> <p>23 warrant squad.</p> <p>24 MR. SCHIAVONE: Yes, sir.</p> <p>25 MR. O'CONNOR: All right. He's got</p> <p style="text-align: center;">Gilbert & Jones</p>	<p>1 existing policies for the warrant squad at that time?</p> <p>2 A. The warrant squad was just another</p> <p>3 manpower or resource that we had. We were working on</p> <p>4 putting something in place to identify this new unit</p> <p>5 that we were -- had started up.</p> <p>6 Q. But isn't it true that no policies have</p> <p>7 ever been put in place?</p> <p>8 A. I'm not sure, sir.</p> <p>9 Back in this time those officers that made</p> <p>10 up the warrant squad were -- came from our counter</p> <p>11 narcotics team. So this is something that they, the</p> <p>12 department, had just formed.</p> <p>13 Q. All right. Would the duties of a warrant</p> <p>14 squad be different than the duties of a SWAT squad?</p> <p>15 A. Totally different, sir.</p> <p>16 Our SWAT team is high-risk situations</p> <p>17 involving barricaded situ -- armed robbery, stuff</p> <p>18 like that. The time that we call the SWAT team is</p> <p>19 when we have a barricaded situation where someone is</p> <p>20 with a gun or the SWAT team was requested by any</p> <p>21 other member of the department, like our criminal</p> <p>22 investigation division to help secure -- to help</p> <p>23 serve a warrant.</p> <p>24 Q. All right. But would you agree that</p> <p>25 serving warrants for violent offenders is a very</p> <p style="text-align: center;">Gilbert & Jones</p>
8	10
<p>1 Exhibit 5 now.</p> <p>2 MR. SCHIAVONE: All right.</p> <p>3 Q. (By Mr. Schiavone) Lieutenant, can you</p> <p>4 take a look at that and see if you recognize it?</p> <p>5 A. It has had the heading of Savannah Police</p> <p>6 Department Show-of-Force Report and different</p> <p>7 indications.</p> <p>8 Q. Yes, sir.</p> <p>9 Well, let me go through it. And this form</p> <p>10 was filed, apparently, by Officer Kang after an</p> <p>11 incident in the execution of a lawful arrest warrant</p> <p>12 for a Pernel Drayton. He was a violent offender</p> <p>13 charged with aggravated battery, aggravated assault,</p> <p>14 and cruelty to children. Kang as well as Sergeant</p> <p>15 Arango were assigned at this point. I think they</p> <p>16 were actually members of the SWAT team, but they were</p> <p>17 being assigned to execute warrants at this time. Do</p> <p>18 you recall that?</p> <p>19 A. I recall several, Corporal Kang and</p> <p>20 Sergeant Arango being on a warrant squad. Their --</p> <p>21 Q. All right.</p> <p>22 A. -- other duties may have let them be on</p> <p>23 the SWAT team, but they were assigned to the warrant</p> <p>24 squad that we had currently with our department.</p> <p>25 Q. All right. Were you -- were there no</p> <p style="text-align: center;">Gilbert & Jones</p>	<p>1 dangerous duty?</p> <p>2 A. You never know what the situation's going</p> <p>3 to be. So serving a misdemeanor warrant could be a</p> <p>4 dangerous situation. So when we go out we make sure</p> <p>5 we have all the precautions that we need and enough</p> <p>6 manpower depending on what the situation itself is.</p> <p>7 Q. All right. But back in 2019 and actually</p> <p>8 up through 2020, this particular unit wasn't given</p> <p>9 all the things necessary to do the duties of</p> <p>10 executing these warrants. They weren't given pepper</p> <p>11 canisters and things to de-escalate situations. They</p> <p>12 were not given a number of different things they</p> <p>13 could use if things were to escalate when they</p> <p>14 executed those warrants. Isn't that true?</p> <p>15 MR. O'CONNOR: Object to the form. You</p> <p>16 can answer subject to the objection.</p> <p>17 THE WITNESS: Each officer is issued</p> <p>18 departmental handcuffs, weapon. If they go</p> <p>19 through the Taser program now we have a Taser</p> <p>20 and also an OC spray. Each officer that comes</p> <p>21 on the department is issued an OC spray, a</p> <p>22 baton --</p> <p>23 Q. (By Mr. Schiavone) Right.</p> <p>24 A. -- and everything else.</p> <p>25 Q. All right. But other than the baton,</p> <p style="text-align: center;">Gilbert & Jones</p>

11 EXHIBIT 12	13
<p>1 those other two that you mentioned were not given to</p> <p>2 these officers on this particular execution of the</p> <p>3 warrant on Drayton?</p> <p>4 A. These officers --</p> <p>5 Q. They weren't given those?</p> <p>6 A. These officers who were uniformed or even</p> <p>7 plain clothes have the option of having all their</p> <p>8 equipment with them, the things that I just</p> <p>9 mentioned. So they should have had -- they should</p> <p>10 have had every access that any other patrol officer</p> <p>11 would have.</p> <p>12 Q. All right. Now, do you -- do you -- are</p> <p>13 you telling me that -- can you tell me that that --</p> <p>14 that they were actually given that? Or is that</p> <p>15 general -- that's the general policy?</p> <p>16 A. That's the general -- if you're employed</p> <p>17 as a police officer, the department issues certain</p> <p>18 things from the very beginning. I already -- I made</p> <p>19 mention of those in -- those things. If you're a</p> <p>20 part of a specialized unit like SWAT, SWAT has</p> <p>21 different equipment than the regular patrol officers.</p> <p>22 These officers here were assigned to the warrant</p> <p>23 squad. They were also a part of the SWAT team. So</p> <p>24 they had capabilities of getting any necessary</p> <p>25 equipment that they thought they needed to execute</p> <p style="text-align: center;">Gilbert & Jones</p>	<p>1 A. Yes, I am.</p> <p>2 Q. Can you explain to me what that is?</p> <p>3 A. Basically that's a tool that members who</p> <p>4 have trained and qualified to properly use that, and</p> <p>5 mainly those are the individuals on our SWAT team.</p> <p>6 As I said before, these officers who were</p> <p>7 on our warrant squad were actually also members of</p> <p>8 the SWAT team. So they had access to that particular</p> <p>9 weapon, and that weapon is just like a regular</p> <p>10 shotgun. Instead of having real rounds in it you use</p> <p>11 what is called a super SOC. A super SOC is used to</p> <p>12 stun someone to disable them in the capacity.</p> <p>13 Q. All right. All right. And once somebody</p> <p>14 files that use-of-force form, what happens to the</p> <p>15 form?</p> <p>16 A. The form goes through the proper chain of</p> <p>17 command. The sergeant investigates it, sends it</p> <p>18 through the chain, which would be the next step,</p> <p>19 which would have been the lieutenant which would --</p> <p>20 would have been me. I would look at body-worn</p> <p>21 camera, read reports, look at all the facts, and do</p> <p>22 an investigation based off what the sergeant sent.</p> <p>23 Q. All right. Now, as I understand it,</p> <p>24 looking at Exhibit 5, it appears that Sergeant Arango</p> <p>25 reviewed it and found that the use of force was</p> <p style="text-align: center;">Gilbert & Jones</p>
12	14
<p>1 whatever type of warrant they were going out to do.</p> <p>2 Q. All right. So when they executed this</p> <p>3 warrant, if they have to take some action over</p> <p>4 above -- over and above actually handcuffing the</p> <p>5 individual and taking them into custody, if some use</p> <p>6 of additional force is necessary, are they required</p> <p>7 to file a use-of-force form?</p> <p>8 A. If they -- they are required to follow the</p> <p>9 policy that we have in place for use of force. Any</p> <p>10 type of resistance, any type of force that they use</p> <p>11 they have to follow the policy.</p> <p>12 Q. All right. And that's required in every</p> <p>13 case?</p> <p>14 A. It depends on the situation. If an</p> <p>15 officer use any type of force against any citizen to</p> <p>16 effect an arrest or had to use, deploy their OC, had</p> <p>17 to deploy their baton, even their Taser now since we</p> <p>18 have Tasers or even have to pull out their weapon, we</p> <p>19 have different policies in place for everything that</p> <p>20 is required by us to effectively make an arrest or</p> <p>21 detain an individual. It depends on the level that</p> <p>22 that individual gives resistance or no resistance.</p> <p>23 Q. All right. In this particular case the</p> <p>24 Officer Kang had to use an implement called -- is it</p> <p>25 a SOC? Are you familiar with that?</p> <p style="text-align: center;">Gilbert & Jones</p>	<p>1 justified and within policy, and this was sent to you</p> <p>2 on August 13, 2019; is that correct?</p> <p>3 A. What I -- what I have in front of me is</p> <p>4 just a standard information. It doesn't have any --</p> <p>5 it doesn't really have anything that says that he</p> <p>6 investigated it or anything else. His part of the</p> <p>7 investigation is missing. There's nothing here</p> <p>8 besides you showing me some pictures, different</p> <p>9 things that indicate that it was entered light of day</p> <p>10 and everything else. There's nothing here from</p> <p>11 Sergeant Arango that says that he investigated this</p> <p>12 to let me know that he sustained it in policy or</p> <p>13 without policy.</p> <p>14 Q. Well, is it stated on that exhibit that</p> <p>15 Arango found use of force justified and within</p> <p>16 policy? Do you see that where he made that finding?</p> <p>17 It's probably around the third page, I think.</p> <p>18 A. No, sir. The third page just shows me a</p> <p>19 picture of a -- of a male figure.</p> <p>20 Q. All right. Try the fourth page.</p> <p>21 A. All right. I see on the -- I guess on</p> <p>22 August the 3rd after reviewing this incident I find</p> <p>23 that the force was both justified and within the</p> <p>24 department policy --</p> <p>25 Q. So --</p> <p style="text-align: center;">Gilbert & Jones</p>

1 A. -- from Sergeant Arango.
 2 Q. So he made that finding and it was sent to
 3 you on that same page -- it was sent to you on
 4 August 13th, 2019?
 5 A. Yes.
 6 Q. But there's nothing to indicate that you
 7 made the finding or investigated it?
 8 A. There's a note here that says there's no
 9 ARS report and no memo outlining the use of the super
 10 SOC. So when I got it I probably sent it back to him
 11 indicating that I needed to see the ARS reports and
 12 the purpose of why the super SOC had to be used.
 13 Q. When would that have come back to you? Or
 14 would it?
 15 A. I sent that -- I sent that back on the
 16 same day that I received it from looking at this
 17 paper here on August the 13th at 3:18.
 18 Q. And would you have followed up on it and
 19 asked him to provide you with that additional
 20 information?
 21 A. Yes, I would have.
 22 Q. All right. And at some point would you
 23 have done an investigation and made a conclusion?
 24 A. Yes, I would have.
 25 Q. All right. If you looked at that form,

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1 nothing indicates that you ever did that, but yet you
 2 contacted -- well, you contacted Sergeant Arango
 3 seven months later on February 11th, 2020. Do you
 4 see that?
 5 A. Yes, I do.
 6 Q. All right. And you still didn't
 7 investigate or do anything on the complaint. This
 8 was not a complaint; isn't that true? The defendant
 9 didn't complain about it? His family? This was all
 10 administratively, right?
 11 MR. O'CONNOR: Object to the form. You
 12 can answer if you understand the question.
 13 THE WITNESS: I'm really trying to
 14 basically understand what you're trying to say.
 15 When I sent it back to Sergeant Arango to
 16 get the information that I needed once that
 17 information was returned to me I did look at it.
 18 I looked at the video. I looked at the ARS
 19 reports that are required and I did make a
 20 determination. So it depended on if the -- the
 21 timeline that when I requested it and when
 22 Sergeant Arango sent it back to me.
 23 Q. (By Mr. Schiavone) All right. So there
 24 would be a written document that shows your
 25 investigation and your conclusions?

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1 A. Yes, it would.
 2 Q. All right. And do you recall what your
 3 findings were in relation to it?
 4 A. Unless I have it in front of me, I really
 5 don't know, because at that time there were some
 6 major moves around the department for lieutenants and
 7 I was moved out of my unit and put back into the
 8 precinct on the south side at that particular time,
 9 if I'm not mistaken.
 10 Q. All right. And if you look at that same
 11 page it indicates that you sent something to
 12 Lieutenant Barefield. Do you see that?
 13 A. Yes.
 14 Q. Who would he have been in relation to
 15 this?
 16 A. Lieutenant Barefield who is now Captain
 17 Barefield was the commander of our office of
 18 professional standards, which is better known as IA,
 19 internal affairs.
 20 Q. All right. And you would have sent him
 21 your written conclusions and what you found? That
 22 would have been sent to him?
 23 A. It would -- it should have.
 24 Q. All right.
 25 A. And I think in here it says that --

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1 MR. SCHIAVONE: That would have --
 2 MR. O'CONNOR: Mike, he wasn't finished.
 3 MR. SCHIAVONE: I'm sorry.
 4 THE WITNESS: It says in here that it was
 5 rerouted to -- rerouted to Lieutenant Toth.
 6 Lieutenant Toth was the person that took over
 7 the SIU plus the warrant squad detail.
 8 Q. (By Mr. Schiavone) All right. And
 9 that -- that looks like it was on July 31st, 2020?
 10 A. It could. Yes, sir. It could be or it --
 11 Q. All right.
 12 A. But that's from -- yes.
 13 Q. All right. If -- the report and
 14 recommendations that you did, would that have been
 15 the end of it, of the investigation?
 16 A. No, sir.
 17 Q. Would you have done that?
 18 A. No, sir. It goes from me. Then it goes
 19 to the next person in the chain. The next person in
 20 the chain would have been Captain David Barefield --
 21 I mean, Captain David Gay. He would have looked at
 22 it and he would have made -- either agreed with my
 23 findings or found something else different, then
 24 moved it on up.
 25 Q. All right. And would there -- would he

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1 have to reduce something to writing?

2 A. He would have.

3 Q. And who was that?

4 A. Captain David Gay who's no longer with the
5 department.

6 MR. SCHIAVONE: All right. Give me one
7 second.

8 Q. (By Mr. Schiavone) And if you look at the
9 form where it indicates that Lieutenant Toth sent it
10 to Sergeant Phillip Collard, do you see that?

11 A. Yes, I do.

12 Q. And if you look at -- he was the -- at
13 that time then, this would have been on August the
14 3rd, 2020 -- 2020 that he sent it and Sergeant
15 Collard on August 26, 2020 indicates he was -- he at
16 the time, was he the SWAT commander?

17 A. He could have been. I'm not sure.

18 Q. All right. Also, do you know whether or
19 not he was a use-of-force instructor?

20 A. I'm not sure what type of training besides
21 the SWAT training that he has.

22 Q. All right. Why would -- why would this go
23 back down to a sergeant? Why would Toth -- do you
24 know why Toth would have sent that to this
25 individual?

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1 A. I can't speak for Lieutenant Toth. I
2 don't know why he sent it back down. Maybe he wanted
3 to get better information and send it to the sergeant
4 to have the sergeant look into it. I can't --

5 Q. All right.

6 A. -- really speak for him, so I really don't
7 know why he sent it back down.

8 Q. All right. If you know, Sergeant Collard
9 states, this is a year old, and I was not present or
10 assigned to this unit. It would be unethical -- he
11 was concerned it would be unethical for him to
12 investigate this. Is that what he stated --

13 A. That's what you just read.

14 Q. -- on the form?

15 A. That's what you just read in there and
16 that's what I'm looking at. I can't speak for
17 Sergeant Collard neither.

18 Q. All right. Now, you did -- in your
19 investigation, as I understand what transpired, this
20 would have been on video, the Pernell incident; is
21 that correct?

22 A. Yes, it would have been.

23 Q. All right. And from what I can tell in
24 the video obviously these were serious charges that
25 this individual was accused of and being arrested

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1 for -- would you agree? -- aggravated assault,

2 aggravated battery, cruelty to a child?

3 A. If that's what the -- if those were the
4 charges of that said individual, yes. That would be
5 a high nature violent crime against someone.

6 Q. Do you know what -- can you tell me what a
7 OODA loop is?

8 A. I have no idea, sir.

9 Q. Have you ever heard of that before?

10 A. Not -- I can't say if I have or not.

11 Q. How about the priorities of life?

12 A. Priority of life?

13 Q. Priorities of life.

14 A. That's a standard thing that we -- that we
15 train about in reference to the force level or taking
16 someone's life, the value of someone's life. That's
17 my understanding of it.

18 Q. Well, do you know what the elements are of
19 that, of priorities of life?

20 A. I can't -- I can't say right offhand at
21 the moment, sir.

22 Q. All right. Well, let me explain it to
23 you. These are things that officers who are
24 specially trained to execute warrants as well as SWAT
25 team members, these are what they're required to do

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1 when they go into these situations, observe, orient,
2 decide, act. That's what that means.

3 Now, if you've never been trained in that
4 and you don't know what that is, how are you able to
5 do an evaluation of these officers in a use-of-force
6 situation if you don't know exactly what they're
7 trained to do?

8 MR. O'CONNOR: Object to the form.

9 Q. (By Mr. Schiavone) And make conclusions?
10 Explain to me how you can make conclusions and
11 recommendations to the chief if you don't know the
12 process and the elements.

13 MR. O'CONNOR: Object to the form. It's
14 multiple, and there are other issues. So I'll
15 just make my objection to the form. You can
16 proceed and answer if you can.

17 THE WITNESS: Stating what you said, I'm
18 looking at the violation of -- of what we have
19 in policy, the use of force itself. As far as
20 their training is concerned, that's their
21 training. I have never trained as a SWAT
22 member, so I have no idea their level of
23 training that they go through. So each officer
24 on this department have certain certificates,
25 certain certifications in their own field of

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23 EXHIBIT 12**25**

1 operation. SWAT is a different breed by itself.
 2 Those officers do a lot of more intense training
 3 because they're on a specialized unit that we
 4 utilize. I'm looking for violations as far as
 5 policy is concerned. The use of force itself,
 6 was this force necessary, was this force within
 7 policy or was this force outside of policy.

8 That's what I'm looking at.

9 Q. (By Mr. Schiavone) All right. And do you
 10 recall that you didn't make any finding that use of
 11 force had been violated policy in this case?

12 A. What I can recall is that I looked at the
 13 video and I had major concerns on the situation in
 14 itself. And one of the things that really stood out
 15 to me is why did Sergeant Arango tell everyone to
 16 turn off their body-worn cameras. That was one of my
 17 number one concerns there. As I stated before, I had
 18 multiple units that I was over, so I may not have
 19 gotten to this in a timely manner, but I did look at
 20 the video because this was a use of force that came
 21 to my desk.

22 Q. All right. But you didn't make a finding
 23 of a violation of use-of-force policy though, did
 24 you?

25 A. I can't recall if I did or not. If I did

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1 findings before April of 2021. But then you were
 2 contacted by one of these officers that the chief
 3 wanted you to find something else and to do a new
 4 transmittal. Weren't you?

5 A. Mr. Schiavone, I have no idea what you're
 6 talking about, sir. Are we talking about the current
 7 thing --

8 Q. Well --

9 A. -- or are we talking about somebody else?

10 Q. Well, we're talking about the Pernell
 11 incident. What's a letter of transmittal?

12 A. A letter of transmittal is where the
 13 lieutenant does his final investigation and sends
 14 that letter. It's basically a form that we use. It
 15 outlines the -- and I don't have one in front of me
 16 so I may not know exactly all the stuff in it, but it
 17 basically entails the investigation, the reason for
 18 the investigation, were any violations sustained or
 19 unsustained. That information is passed on up
 20 through the chain of command. And it also has
 21 certain other things to it which I just can't
 22 remember at this time.

23 Q. All right. But you had already -- you've
 24 already testified that you have already done that in
 25 this case.

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1 it would have been here.

2 As I indicated before, a lot of the
 3 lieutenants on the department got moved around and I
 4 was one of the lieutenants that got moved. So this
 5 may have sat for a while, and that's why it probably
 6 got back sent to Lieutenant Toth who is now over the
 7 unit to look -- to actually look into it. But I did
 8 have concerns because of the mere issue of telling
 9 the users to turn off their body-worn cameras.
 10 That's not something that we do. That's outside of
 11 our policy.

12 Q. All right. All right. Let me give you a
 13 little background on dates. Of course, this occurred
 14 on August 3rd, 2019. This civil suit that was filed
 15 in this case was filed on April 14th, 2021, almost
 16 two years after the Pernell arrest. Kang and Arango
 17 were accused of a crime and at some point Arango was
 18 indicted on September 17th, 2020.

19 Now, you were contacted either by Gunther,
 20 Adams, Gay or the chief on April 28th or sometime
 21 before April 28th, 2021 ordering you to do a new
 22 report about this, weren't you?

23 A. A new report on what, sir?

24 Q. Well, you said you'd already made a
 25 finding. You already made the conclusions, written

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1 A. I did not say --

2 Q. You made your conclusions.

3 A. I did not say I did a --

4 Q. You made your findings.

5 A. I did not say I did an LOT, sir. You did
 6 not ask me that question. What you basically
 7 asked --

8 Q. Well --

9 A. -- me -- if I can -- if I can finish.

10 What you basically --

11 Q. Yes, sir.

12 A. -- asked me, what did I do. I said I
 13 looked at it. If I made an inv -- if I made a
 14 determination it would have been sent up. You never
 15 asked me about an LOT, sir.

16 Q. All right. But -- but your determination
 17 and conclusions you reduced to writing?

18 A. It would have been done down as far as
 19 whatever I thought the violation was. So let me make
 20 sure I'm clear. Are we talking about the Pernell
 21 incident or the Gates incident? Because you threw up
 22 Gates as something else. So which one are we talking
 23 about?

24 Q. Gates, I've never mentioned Gates.

25 A. You did, sir.

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1 Q. No. I mentioned Pernell.

2 A. No. You mentioned Gates when you read
3 something that I've received a phone call from
4 Minter, Gunther and Adams and you mentioned Gates. I
5 heard you very clearly, Mr. Schiavone.

6 Q. Well, it's not about Gates at this point.
7 What it's about is that you were contacted by these
8 officers because the chief wanted you to do a new
9 report about this incident, didn't he?

10 A. And I'll ask you again, sir, what report
11 are you talking about? Because as far as Pernell
12 Grant is concerned, I did what I did and it was
13 passed on to Lieutenant Toth. So which one are you
14 talking about?

15 Q. Were you confronted by the chief or by
16 Lenny Gunther and demoted over this?

17 A. No, sir. I was not demoted. I'm still a
18 lieutenant.

19 Q. Were you written up?

20 A. I may have received a punishment based on
21 the Pernell Grant situation due to the fact that the
22 length of time that it took for the investigation to
23 be completed. I believe I did receive a written
24 reprimand or something for that. So if you're
25 talking about that incident I probably was punished

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1 because of the length of time that it took to
2 complete that investigation.

3 Q. All right. And four days and shortly
4 after this civil suit was filed you were contacted by
5 someone in order to do a report, a letter of
6 transmittal, a report and then a letter of
7 transmittal; is that correct?

8 A. For who, sir?

9 Q. On -- on this Pernell, on the Pernell
10 incident.

11 A. As I stated before, sir, I had no -- I had
12 no -- I had no more involvement with that as far as
13 me passing it on and giving it back to Lieutenant
14 Barefield who is now Captain Barefield and then it
15 was sent to Lieutenant Toth.

16 MR. O'CONNOR: Can we clear one thing up
17 for the record here? You referred to Pernell
18 Grant. Are we talking about Pernell Drayton?

19 THE WITNESS: Drayton, I'm sorry. Pernell
20 Drayton. I'm sorry.

21 Q. (By Mr. Schiavone) I'm sorry.

22 A. I'm sorry about that.

23 Q. All right. So -- so when you were
24 confronted and reprimanded, you weren't required to
25 do anything else after that?

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1 A. When you say confronted and reprimanded, I
2 was punished based on the length of time of this
3 particular incident here that involved Arango, Kang
4 and several other members of the -- of the unit. Is
5 that what you're talking about, sir?

6 Q. Yes, sir, the Pernell Drayton incident.

7 A. All right. I was not confronted, wasn't
8 chastised. It went through the process. I received
9 my punishment and I took my punishment.

10 Q. All right. And you had no other further
11 contact with this issue after that?

12 A. Not as far as -- not until today.

13 Q. Not until today?

14 A. Yes.

15 MR. SCHIAVONE: All right. Let me get the
16 letter of transmittal, have that marked as
17 Exhibit 6.

18 (Exhibit 6 was marked for identification.)

19 MR. O'CONNOR: All right. He has
20 Exhibit 6.

21 Q. (By Mr. Schiavone) All right, Lieutenant.
22 I want to remind you this is a federal case. You're
23 under oath just like you're in federal court, and now
24 I'm showing you a document which indicates you did
25 have more contact with this Pernell Drayton.

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1 Now, your previous testimony is after that
2 last report that you did that was it. Would you look
3 at this Exhibit 6 and identify it for me?

4 A. It has Savannah Police Department response
5 to resistance report, incident date, several other
6 pages.

7 Q. And it's a report you wrote on April 28th,
8 2021; isn't that correct?

9 A. Let me get an opportunity to review it.
10 And what date did you say?

11 Q. April 28th, 2021, the date at the top.

12 A. It has me here April the 13th, 2021.

13 Q. All right. So your previous testimony
14 wasn't true, was it?

15 MR. O'CONNOR: Object to the form.

16 Q. (By Mr. Schiavone) Well, let's get past
17 that. You were aware about the group complaints to
18 human resources filed by some 70-some officers
19 including Arango and Dan Kang. You were aware of
20 that, weren't you?

21 A. Like everybody else in the city, yes, sir.

22 Q. And you knew and the chief had made it
23 clear he was aware of it, didn't he?

24 A. He made mention to the department.

25 Q. And you -- were you aware that Dan Kang as

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<p style="text-align: center;">31 EXHIBIT 12</p> <p>1 well as Sergeant Arango were two of the officer --</p> <p>2 two officers that had signed that complaint?</p> <p>3 A. Sir, I know it was 77 people who signed</p> <p>4 that complaint. There was a lot of people.</p> <p>5 Q. All right. Now, again, I'm going to ask</p> <p>6 you, after this civil suit was filed, the chief,</p> <p>7 either the chief, Lenny Gunther, Major Adams, Captain</p> <p>8 Gay which was the ranks at the time of this, one of</p> <p>9 these individuals contacted you and told you that the</p> <p>10 chief wanted you to make different findings in</p> <p>11 reference to the Pernell Drayton incident; isn't that</p> <p>12 true?</p> <p>13 A. When you say make different findings, I</p> <p>14 mean, you make it seem like someone's threatening me</p> <p>15 to do something different.</p> <p>16 Q. Well, did you -- you were aware that the</p> <p>17 chief was out to get Kang and Arango.</p> <p>18 A. Are you now --</p> <p>19 MR. DOVE: Form.</p> <p>20 THE WITNESS: You know that for a fact,</p> <p>21 Mr. Schiavone?</p> <p>22 MR. O'CONNOR: Just answer.</p> <p>23 Q. (By Mr. Schiavone) I'm asking, were you</p> <p>24 aware of that?</p> <p>25 A. No, sir.</p> <p style="text-align: center;">Gilbert & Jones</p>	<p style="text-align: center;">33</p> <p>1 MR. SCHIAVONE: Um --</p> <p>2 MR. O'CONNOR: If you could tell us the</p> <p>3 Bates page number that might help.</p> <p>4 MR. SCHIAVONE: No. Let me make sure I've</p> <p>5 got -- that he has the right exhibit. This</p> <p>6 would have been the letter of transmittal to</p> <p>7 Roy Minter through the Gunther, Adams and Gay</p> <p>8 from Lieutenant Garvin and it was dated</p> <p>9 April 28th, 2021.</p> <p>10 MR. O'CONNOR: I don't think you and he</p> <p>11 are looking at the same document. Exhibit 6 is</p> <p>12 entitled Savannah Police Department, Response to</p> <p>13 Resistance Report, and the first line after that</p> <p>14 says incident details.</p> <p>15 MR. SCHIAVONE: All right. Just give me a</p> <p>16 second; okay?</p> <p>17 MR. O'CONNOR: Sure.</p> <p>18 MR. SCHIAVONE: Because I don't want to</p> <p>19 confuse anyone.</p> <p>20 MR. O'CONNOR: Mike, I think you and</p> <p>21 Lieutenant Garvin are looking at different</p> <p>22 documents. If you have the document and you</p> <p>23 want to scan it over here we can print it.</p> <p>24 MR. SCHIAVONE: All right. Give me a</p> <p>25 second then.</p> <p style="text-align: center;">Gilbert & Jones</p>
<p style="text-align: center;">32</p> <p>1 Q. All right. Were you aware that he had</p> <p>2 taken all this paperwork over to the district</p> <p>3 attorney's office personally to have them criminally</p> <p>4 prosecuted? You were aware of that, weren't you?</p> <p>5 A. I have no idea what chief -- what our</p> <p>6 former chief of police were doing in his own time,</p> <p>7 sir.</p> <p>8 Q. All right. Well, somebody ordered you to</p> <p>9 do this new report, this letter of transmittal,</p> <p>10 didn't they?</p> <p>11 A. I'm not -- I'm not sure. But if I was</p> <p>12 called back into the office by someone and it looked</p> <p>13 like I probably was called back by Captain Gay to</p> <p>14 probably complete the investigation, because, as I</p> <p>15 indicated before, a lot of things were moving around,</p> <p>16 so...</p> <p>17 Q. All right. If you look at the first line</p> <p>18 of this complaint, it says, this investigation was an</p> <p>19 internal complaint against the warrant squad.</p> <p>20 A. What page are you reading from, sir?</p> <p>21 Q. It would have been the front page of the</p> <p>22 letter of transmittal where it says complaint.</p> <p>23 MR. O'CONNOR: Mike, do you have the</p> <p>24 version that's got the Bates stamp numbers on</p> <p>25 it?</p> <p style="text-align: center;">Gilbert & Jones</p>	<p style="text-align: center;">34</p> <p>1 (Recess taken from 11:12 a.m. to 11:33</p> <p>2 a.m.)</p> <p>3 MR. WILSON: So I think we'll mark this as</p> <p>4 Exhibit 7.</p> <p>5 (Exhibit 7 was marked for identification.)</p> <p>6 MR. O'CONNOR: All right, Mike.</p> <p>7 Lieutenant Garvin's got what's been marked</p> <p>8 Exhibit 7 now which is entitled Letter of</p> <p>9 Transmittal, Savannah Police heading and then</p> <p>10 Letter of Transmittal.</p> <p>11 MR. SCHIAVONE: Great. Thank you.</p> <p>12 Q. (By Mr. Schiavone) All right, Lieutenant.</p> <p>13 Let me give you a chance to review it. Exhibit 7 is</p> <p>14 dated April 28th, 2021. It's a report, apparently,</p> <p>15 that you prepared; is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. And you were directed by one of those</p> <p>18 officers again, the chief, Lenny Gunther, Major</p> <p>19 Adams, Captain Gay to create a new report -- weren't</p> <p>20 you? -- four days after the suit was filed, weren't</p> <p>21 you?</p> <p>22 A. No, sir.</p> <p>23 Q. Nobody contacted you and told you to do</p> <p>24 this?</p> <p>25 A. I was called to Captain David Gay at the</p> <p style="text-align: center;">Gilbert & Jones</p>

1 time to complete the investigation of the incident.

2 Q. All right. Did he tell you that this was
3 being ordered by the chief?

4 A. He told me that it had to be completed
5 because it was not completed. I have no idea
6 anything else after that, sir.

7 Q. All right. The beginning of Exhibit 7 it
8 says, this investigation was an internal complaint
9 against the warrant squad. Explain to me what that
10 means.

11 A. It was an in-house investigation, sir.

12 Q. All right. So this was not from a citizen
13 or the defendant or the defendant's family?

14 A. No, sir.

15 Q. All right. And you in turn did this
16 report; is that correct?

17 A. Based on what you -- a copy of this, yes.

18 Q. All right. And Arango and Kang had been
19 fired on July 14th, 2020; is that correct?

20 A. I have no idea, sir.

21 Q. Well, in order to do this report, didn't
22 you have to go and interview all the witnesses?

23 A. I don't believe I talked to anyone. It
24 was so long ago. Based on what I have in front of
25 me, this is my investigation.

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1 Q. All right. You didn't make any finding of
2 use of force, did you, excessive use-of-force policy?

3 A. Looking at what I have in front of me,
4 there's nothing in -- directly says anything about
5 the use of force. It's about the oath of office,
6 ethics and conduct and the body-worn camera and
7 supervisory responsibility.

8 Q. All right. It also shows that nothing was
9 done with the Douglas Factors which would be normal
10 procedure; is that correct?

11 A. It doesn't show my initials, but that
12 doesn't mean nothing was done with it.

13 Q. All right. And at some point you
14 submitted this report to whom?

15 A. The captain, David Gay.

16 Q. And if you'll notice that that's attached
17 to this Exhibit 7. And Captain Gay on June 22nd,
18 2021 reversed your findings as to Kang who was
19 involved in a civil suit now. He didn't sustain
20 those two allegations, did he?

21 A. Reading what Captain Gay said, he says, I
22 sustain the two allegations against Sergeant Arango
23 and additionally I also sustain the third allegation
24 against Sergeant Arango.

25 Q. But he does not sustain the allegations

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1 Q. All right. So based on your memory then,
2 I mean, tell me what the normal procedure would be
3 before you do a letter of transmittal. Would you
4 have gone and interviewed all the witnesses?

5 A. I would have talked to all, everybody that
6 was involved in the use of force.

7 Q. And you would have looked at all the
8 exhibits and if there were video of the incident you
9 would review all that?

10 A. As I indicated before, I did watch the
11 body-worn camera. And the thing that had me
12 disturbed was the mere fact that Sergeant Arango told
13 the officers to turn off their body-worn cameras.

14 Q. All right. And was that the basis of your
15 recommendations in this exhibit?

16 A. I need to look at. It was several
17 violations that were stated. And under
18 recommendation I recommended that the violations
19 against Sergeant Arango and Corporal Kang be
20 sustained.

21 Q. All right. Was that based upon him not
22 ordering that the videos be turned on?

23 A. That was based on what the reports were,
24 what I looked at, and what the policy violation as
25 indicated on this form here, sir.

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1 against Kang who filed the civil suit, did he?

2 A. Corporal Kang's name is nowhere in this
3 report, sir. Oh, I'm sorry.

4 Q. All right.

5 A. I see it now. I apologize. Thank you.

6 Q. So it's true that he didn't -- he reversed
7 you on those two allegations?

8 A. As I stated before, it goes up the chain
9 of command. Whatever my recommendations are or what
10 I find I send it up. The person behind me may see
11 something different. That's why we have a -- that's
12 why we have a policy. That's why we also have a
13 chain of command.

14 Q. All right. And Gay, Captain Gay, he
15 inserts an additional charge against Arango
16 considering aggression and resistance of force, the
17 use of nondeadly force, didn't he?

18 A. As it indicated on this paper, yes.



19 Q. And -- and that was contrary to what you
20 had found; isn't that true?

21 A. As I indicated on what I submitted, this
22 is what I investigated.

23 MR. SCHIAVONE: All right. Give me one
24 second, please.

25 MR. O'CONNOR: Sure.

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<p style="text-align: right;">39</p> <p style="text-align: center;">EXHIBIT 12</p> <p>1 (Pause.)</p> <p>2 MR. SCHIAVONE: Pat, I think that's</p> <p>3 everything I've got. Thank you.</p> <p>4 MR. O'CONNOR: Thank you. The City has no</p> <p>5 questions for Lieutenant Garvin. Mr. Dove may</p> <p>6 have some questions for you.</p> <p>7 MR. DOVE: Yeah. I just have a couple</p> <p>8 questions.</p> <p>9 MR. O'CONNOR: He represents Chief Minter.</p> <p>10 THE WITNESS: Okay.</p> <p>11 EXAMINATION</p> <p>12 BY MR. DOVE:</p> <p>13 Q. Hey, Lieutenant. My name's Taylor Dove.</p> <p>14 Like he said, I represent Chief Minter in this case.</p> <p>15 You mentioned earlier that everyone in the</p> <p>16 department knew about the HR complaints, correct?</p> <p>17 A. Yes.</p> <p>18 Q. You don't have personal knowledge, though,</p> <p>19 of what Chief Minter may have known about these</p> <p>20 particular complaints, correct?</p> <p>21 A. I'm not sure if he got a copy of the</p> <p>22 petition or whatever. I can't speak for Chief</p> <p>23 Minter.</p> <p>24 MR. DOVE: Okay. That's all I've got.</p> <p>25 MR. O'CONNOR: All right. That's it.</p> <p style="text-align: center;">Gilbert & Jones</p>	<p style="text-align: right;">41</p> <p style="text-align: center;">CERTIFICATE OF COURT REPORTER</p> <p>2</p> <p>3 STATE OF GEORGIA:</p> <p>4 COUNTY OF EFFINGHAM:</p> <p>5</p> <p>6 I hereby certify that the foregoing</p> <p>7 transcript was reported as stated in the caption and</p> <p>8 the questions and answers thereto were reduced to</p> <p>9 writing by me; that the foregoing 40 pages represent</p> <p>10 a true, correct, and complete transcript of the</p> <p>11 evidence given on August 31, 2022, by the witness,</p> <p>12 LIEUTENANT TORRANCE GARVIN, who was first duly sworn</p> <p>13 by me.</p> <p>14 I certify that I am not disqualified</p> <p>15 for a relationship of interest under</p> <p>16 O.C.G.A. 9-11-28(c); I am a Georgia Certified Court</p> <p>17 Reporter here as an employee of Gilbert & Jones, Inc.</p> <p>18 who was contacted by Savage & Turner to provide court</p> <p>19 reporting services for the proceedings; I will not be</p> <p>20 taking these proceedings under any contract that is</p> <p>21 prohibited by O.C.G.A. 15-14-37(a) and (b) or</p> <p>22 Article 7.C. of the Rules and Regulations of the</p> <p>23 Board; and by the attached disclosure form I confirm</p> <p>24 that neither I nor Gilbert & Jones, Inc. are a party</p> <p>25 to a contract prohibited by O.C.G.A. 15-14-37(a) and</p> <p>(b) or Article 7.C. of the Rules and Regulations of the Board.</p> <p>This 3rd day of September 2022.</p> <p style="text-align: right;"></p> <p style="text-align: right;">THOMAS J. DORSEY, CERTIFIED COURT REPORTER, 2781</p> <p style="text-align: center;">Gilbert & Jones</p>
<p style="text-align: right;">40</p> <p>1 Thank you, Mike.</p> <p>2 MR. SCHIAVONE: Thanks.</p> <p>3 MR. O'CONNOR: You're done.</p> <p>4 THE WITNESS: Thank you, sir.</p> <p>5 (Deposition concluded at 11:42 a.m.)</p> <p>6 (Pursuant to Rule 30(e) of the Federal</p> <p>7 Rules of Civil Procedure and/or O.C.G.A. 9-11-30(e)</p> <p>8 signature of the witness has been reserved.)</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Gilbert & Jones</p>	<p style="text-align: right;">42</p> <p style="text-align: center;">DISCLOSURE OF NO CONTRACT</p> <p>1</p> <p>2</p> <p>3 I, Debbie Gilbert, do hereby disclose</p> <p>4 pursuant to Article 10.B of the Rules and Regulations</p> <p>5 of the Board of Court Reporting of the Judicial</p> <p>6 Council of Georgia that Gilbert & Jones, Inc. was</p> <p>7 contacted by Savage & Turner to provide court</p> <p>8 reporting services for these proceedings and there is</p> <p>9 no contract that is prohibited by O.C.G.A.</p> <p>10 15-14-37(a) and (b) or Article 7.C. of the Rules and</p> <p>11 Regulations of the Board for the taking of these</p> <p>12 proceedings.</p> <p>13 There is no contract to provide reporting</p> <p>14 services between Gilbert & Jones, Inc. or any person</p> <p>15 with whom Gilbert & Jones, Inc. has a principal and</p> <p>16 agency relationship nor any attorney at law in this</p> <p>17 action, party to this action, party having a</p> <p>18 financial</p> <p>19 interest in this action, or agent for an attorney at</p> <p>20 law in this action, party to this action, or party</p> <p>21 having a financial interest in this action. Any and</p> <p>22 all financial arrangements beyond our usual and</p> <p>23 customary rates have been disclosed and offered to</p> <p>24 all parties.</p> <p>25 This 3rd day of September 2022.</p> <p style="text-align: right;"></p> <p style="text-align: right;">Debbie Gilbert, FIRM REPRESENTATIVE Gilbert & Jones, Inc.</p> <p style="text-align: center;">Gilbert & Jones</p>

1 DEPOSITION OF: LIEUTENANT TORRANCE GARVIN /TJD

2 I do hereby certify that I have read all
3 questions propounded to me and all answers given by
4 me on August 31, 2022, taken before Thomas J. Dorsey,
5 and that:

- 6 ___ 1) There are no changes noted.
7 ___ 2) The following changes are noted:

8 Pursuant to Rule 30(e) of the Federal Rules of
9 Civil Procedure and/or the Official Code of Georgia
10 Annotated 9-11-30(e), both of which read in part:
11 Any changes in form or substance which you desire to
12 make shall be entered upon the deposition...with a
13 statement of the reasons given...for making them.
14 Accordingly, to assist you in effecting corrections,
15 please use the form below:

16 Page No. ___ Line No. ___ should read: _____

17 The reason for the change is _____

18 Page No. ___ Line No. ___ should read: _____

19 The reason for the change is _____

20 Page No. ___ Line No. ___ should read: _____

21 The reason for the change is _____

22 Page No. ___ Line No. ___ should read: _____

23 The reason for the change is _____

24 Page No. ___ Line No. ___ should read: _____

25 The reason for the change is _____

Page No. ___ Line No. ___ should read: _____

The reason for the change is _____

Gilbert & Jones

1 DEPOSITION OF: LIEUTENANT TORRANCE GARVIN /TJD

2 Page No. ___ Line No. ___ should read: _____

3 The reason for the change is _____

4 Page No. ___ Line No. ___ should read: _____

5 The reason for the change is _____

6 Page No. ___ Line No. ___ should read: _____

7 The reason for the change is _____

8 Page No. ___ Line No. ___ should read: _____

9 The reason for the change is _____

10 Page No. ___ Line No. ___ should read: _____

11 The reason for the change is _____

12 If supplemental or additional pages are necessary,
13 please furnish same in typewriting annexed to this
14 deposition.

15 _____
16 LIEUTENANT TORRANCE GARVIN

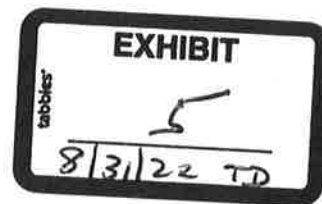
17 Sworn to and subscribed before me,
18 This the ___ day of _____, 20__.

19 Notary Public
20 My commission expires: _____

21 Please forward corrections to:

22 _____
23 Gilbert & Jones, Inc.
24 7505 Waters Avenue, Suite F3
25 Savannah, GA 31406
(912) 355-1061
Gilbert & Jones

EXHIBIT 12
Savannah Police Department
Show Of Force Report



[Print](#)

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
08/03/2019	08/03/2019	12:40
Record ID Number	CRN	OPS #
110	190607056	
Date/Time Entered	Entered By	
08/03/2019 16:58	Corporal Daniel Kang	

Incident Summary

Deployed 2 less lethal/supersock rounds
Used body pressure to immobilize suspect during handcuffing

Incident Location

Addresses

920 Mohawk Street, Suite/Apt #8F, Savannah, GA, 31419

- Location of Occurrence: Chatham

Show of Force Details

Reason For Using Force	Service Being Rendered	More Than 1 Citizen Involved
Effecting Arrest	Serving A Warrant	No
Weather Condition	Light Condition	Distance to Citizen
Cloudy	Interior Lighting	7 feet to 10 feet
Citizen Arrested	Citizen Build	Citizen Height
Yes	Larger than officer	5'7" to 5'9"
Citizen Influence Assessment		
Agitated		

Crisis Details

Reporting/Involved Citizen

Pernell Drayton

Date of Birth: 10/18/1990 **Race:** Black **Ethnicity:** Non-Hispanic **Gender:** Male

Addresses

920 Mohawk Street, Suite/Apt #8F, Savannah, GA, 31419

Phone Numbers [None Entered]

Role: Arrestee

Additional Snapshot Data

Homeless at time of involvement	Perceived Limited English	Primary Language
--	----------------------------------	-------------------------

CITY0839

EXHIBIT 12

[None Entered]

[None Entered]

[None Entered]

Sexual Orientation

Gender Expression

Experiencing Mental Crisis (Officer Assessment)

[None Entered]

[None Entered]

[None Entered]

Experiencing Mental Crisis (Self Reported)

Armed at Time of Incident

[None Entered]

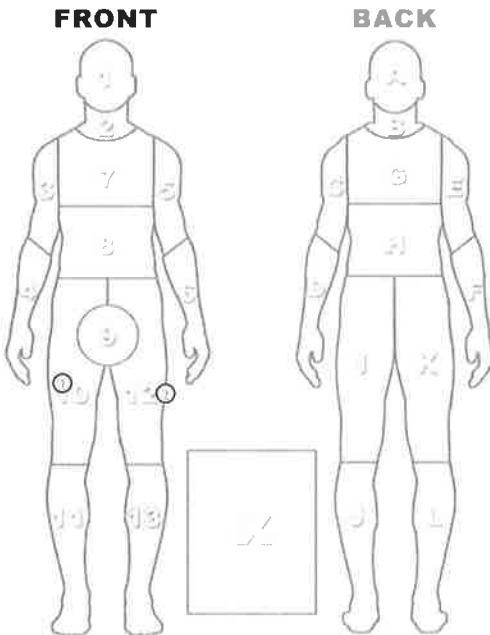
[None Entered]

Type of Resistance Citizen Used Against Employee

- Passive Resistance

Injuries Sustained By Citizen

Injury	Region	Injury Location
Minor Injury	10, 12	1, 2



Charges Against Citizen

- Felony - Warrants
- Resist / Obstruct

Incident Employees

Corporal Daniel Kang - 12043

Assignment at time of incident: Corporal Field Operations/Intelligence & Strategic Investigations/Strategic Investigative Unit **Video Footage:**

[None Entered]

Role: Primary Officer

Policy Outcome: Not yet entered

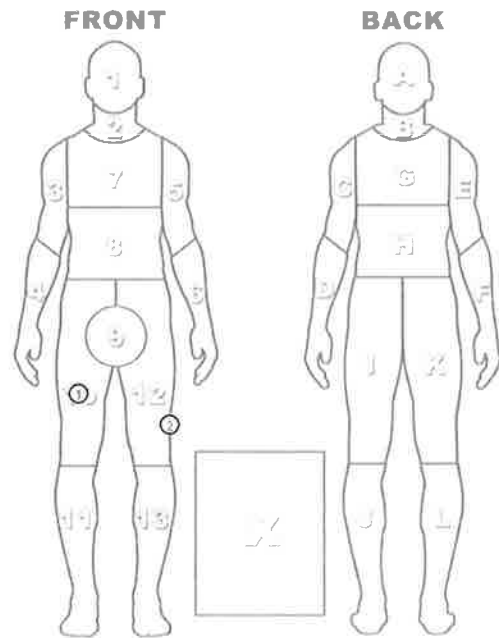
Force used by this Employee against Citizen

- Expandable Baton - Force Effective: No

Less lethal force used by this Employee against Citizen

Force Used	Force Effective	Region	Point of Contact
Expandable Baton	No		[Non-Contact]

EXHIBIT 12



Injuries Sustained By Employee

Injury

Region

Injury Location

No injuries noted or visible

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

Date Attached	Attachment Description	Attachment Types
08/13/2019	BWC footage of fugitive apprehension and UOF	mp4
08/13/2019	UOF pictures	jpg
08/13/2019	UOF Picture	jpg
08/13/2019	UOF picture	jpg
08/13/2019	UOF picture	jpg
08/13/2019	BWC footage of fugitive apprehension and UOF	mp4
08/13/2019	UOF picture	jpg
08/13/2019	BWC footage of fugitive apprehension and UOF	mp4
08/13/2019	UOF picture	jpg
09/30/2020	Police Reports	pdf

Assignment History

Date/Time Sent	From	To	Activity
07/31/2020 09:00	Lie D Barefield		Field assigned

CITY0841

EXHIBIT 12

Chain of Command History

Routing Number: 1

From Corporal Daniel Kang

To Sergeant Octavio Arango

Cc:

Date/Time Sent 08/03/2019 17:07

Instructions From [Corporal Daniel Kang] To [Sergeant Octavio Arango]

Request approval.

Comments/Response From [Sergeant Octavio Arango]

After reviewing this incident, I find that the force used was both justified and within department policy.

Routing Number: 2

From Sergeant Octavio Arango

To Lieutenant Torrance Garvin

Cc:

Date/Time Sent 08/13/2019 15:18

Instructions From [Sergeant Octavio Arango] To [Lieutenant Torrance Garvin]

Lt. Garvin, please review this Use of Force in regards to a non-compliant fugitive.

Comments/Response From [Lieutenant Torrance Garvin]

There's no ARS reports and no Memo outlining the used of 'Super Shocks'.

Routing Number: 3

From Lieutenant Torrance Garvin

To Sergeant Octavio Arango

Cc:

Date/Time Sent 02/11/2020 17:34

Instructions From [Lieutenant Torrance Garvin] To [Sergeant Octavio Arango]

ARS reports and Memo outlining the details behind the UOF (Super Shock)

Comments/Response From [Sergeant Octavio Arango]

Incident routing was closed out by IAPro user Lieutenant David Barefield and the incident was re-routed to Lieutenant Joseph L Toth [60165]

Routing Number: 4

From Lieutenant David Barefield

To Lieutenant Joseph Toth

Cc:

Date/Time Sent 07/31/2020 09:00

CITY0842

EXHIBIT 12

Instructions From [Lieutenant David Barefield] To [Lieutenant Joseph Toth]

Re-routed due to termination. Please complete or reassign.

Comments/Response From [Lieutenant Joseph Toth]

Please complete memorandum covering the use of force with your findings. Thanks JT

Routing Number: 5

From

Lieutenant Joseph
Toth

To

Sergeant Phillip
Collard

Cc:

Date/Time Sent

08/03/2020 14:20

Instructions From [Lieutenant Joseph Toth] To [Sergeant Phillip Collard]

Please complete Memo regarding the use of force. Thanks

Comments/Response From [Sergeant Phillip Collard]

This is a year old and I was not present or assigned to this unit. Not sure it would be ethical for me to investigate this matter.

Routing Number: 6

From

Sergeant Phillip Collard

To

Lieutenant Joseph Toth

Cc:

Date/Time Sent

08/26/2020 11:35

Instructions From [Sergeant Phillip Collard] To [Lieutenant Joseph Toth]

UOF

Comments/Response From [Lieutenant Joseph Toth]

[Open routing]

EXHIBIT 12
Savannah Police Department
Response To Resistance Report



Incident Details

Date Received	Date of Occurrence	Time of Occurrence
08/03/2019	08/03/2019	12:40
Record ID Number	CRN	OPS #
3812	190607056	RR21-0105
Date/Time Entered	Entered By	
03/16/2021 14:25	[IAPro entry - Corporal Sean Sueaquan]	
SPD BlueTeam LIVE Assigned Investigator	IAPro Assigned Investigator	
Interim Assistant Chief Devonn Adams - 1440	Un-assigned	

Incident Summary

Deployed 2 less lethal/supersock rounds
 Used body pressure to immobilize suspect during handcuffing

Incident Location

Addresses

920 Mohawk Street, Savannah, GA, 31419

- Location of Occurrence: Chatham

Use of Force Details

Reason For Using Force	Service Being Rendered	More Than 1 Citizen Involved
Effecting Arrest	Serving A Warrant	Yes
Weather Condition	Light Condition	Distance to Citizen
Cloudy	Interior Lighting	7 feet to 10 feet
Citizen Injured	Citizen Hospitalized	Citizen Arrested
Yes	No	Yes
Citizen Build	Citizen Height	Citizen Influence Assessment
Larger than officer	5'7" to 5'9"	Agitated
Employee(s) Injured	Employee(s) Taken to Hospital	
No	Yes	

Crisis Details

Reporting/Involved Citizen

Pernell Drayton

Date of Birth: 10/18/1990 **Race:** Black **Ethnicity:** Non-Hispanic **Gender:** Male

Addresses

920 Mohawk Street, Savannah, GA, 31419

Phone Numbers [None Entered]**Role:** Arrestee**Additional Snapshot Data****Homeless at time of involvement**

[None Entered]

Perceived Limited English

[None Entered]

Primary Language

[None Entered]

Sexual Orientation

[None Entered]

Gender Expression

[None Entered]

Experiencing Mental Crisis (Officer Assessment)

[None Entered]

Experiencing Mental Crisis (Self Reported)

[None Entered]

Armed at Time of Incident

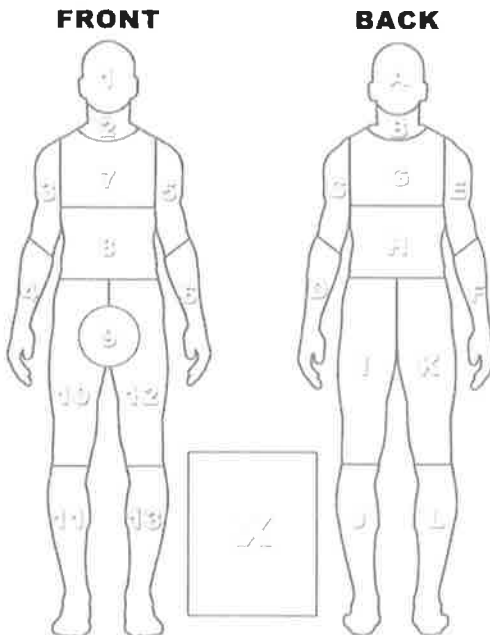
[None Entered]

Type of Resistance Citizen Used Against Employee

- Passive Resistance

Injuries Sustained By Citizen**Injury****Region****Injury Location**

Minor Injury

**Charges Against Citizen**

- Resist / Obstruct
- Felony - Warrants

Pernell Drayton**Date of Birth:** Unknown **Race:** Black **Ethnicity:** Unknown **Gender:** Male**Addresses** [None Entered]**Phone Numbers** [None Entered]**Role:** [None Entered]**Additional Snapshot Data****Homeless at time of involvement**

[None Entered]

Perceived Limited English

[None Entered]

Primary Language

[None Entered]

Sexual Orientation**Gender Expression****Experiencing Mental Crisis (Officer Assessment)**

[None Entered]

[None Entered]

[None Entered]

Experiencing Mental Crisis (Self Reported)**Armed at Time of Incident**

[None Entered]

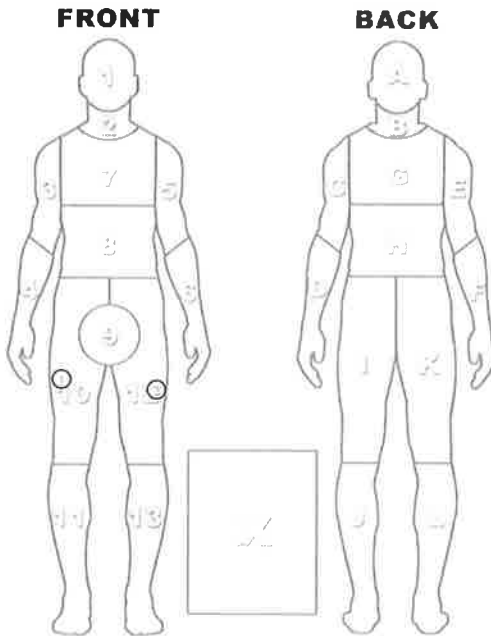
[None Entered]

Type of Resistance Citizen Used Against Employee

- Passive Resistance

Injuries Sustained By Citizen

Injury	Region	Injury Location
Minor Injury	10, 12	1, 2

**Incident Employees****Corporal Daniel Kang - 12043****Assignment at time of incident:** Corporal Field Operations/Intelligence & Strategic Investigations/Strategic Investigative Unit **Video Footage:**

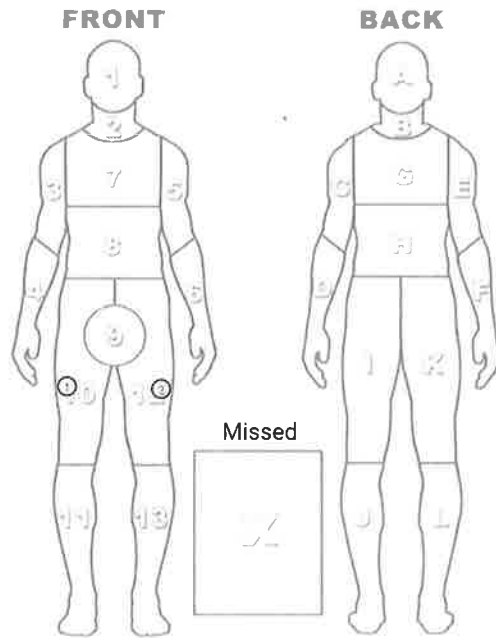
Issued - Activated - Effective

Role: Primary Officer**Policy Outcome:** Within policy - but secondary policy shortfall**Force used by this Employee against Citizen**

- Firearm - Force Effective: Yes

Less lethal force used by this Employee against Citizen

Force Used	Force Effective	Region	Point of Contact
Firearm	Yes	10, 12	1, 2



Injuries Sustained By Employee

Injury

Region

Injury Location

No injuries noted or visible

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

Date Attached	Attachment Description	Attachment Types
06/22/2021	LOT- 190607056 Arrango	docx
06/22/2021	KangArangoUoC memo	pdf
06/15/2021	ADM-007 Police Response to Aggression, Resistance, and Force	pdf
06/22/2021	Daniel Kang body-worn camera video	
04/13/2021	CPL Kang's BWC from 6/7/2019	
06/22/2021	Body-worn video	

Assignment History

Date/Time Sent	From	To	Activity
04/13/2021 09:16	Cor S Sueaquan		Field status changed in IAPro from to Field assigned

04/13/2021 09:16	Cor S Sueaquan	Corporal Sean Sueaquan	IAPro assigned
04/13/2021 10:33	Corporal Sean Sueaquan	Lieutenant Torrance Garvin	Incident re-assigned by Corporal Sean Sueaquan to Lieutenant Torrance Garvin for further work-up.
06/22/2021 13:48	Cap D Barefield		Field status changed in IAPro from Completed - review pending to Released
06/22/2021 13:49	Cap D Barefield		Field status changed in IAPro from Released to Field assigned
06/22/2021 13:49	Cap D Barefield	Captain David Gay	IAPro assigned
06/22/2021 13:51	Captain David Gay	Interim Assistant Chief Robert Gavin	Incident re-assigned by Captain David Gay to Major Robert Gavin for further work-up.
06/22/2021 15:12	Cor S Sueaquan	Interim Assistant Chief Devonn Adams	IAPro assigned as part of IAPro re-route
07/06/2021 15:07	Cor S Sueaquan		Field status changed in IAPro from Completed - in holding bin to Released

Chain of Command History

Routing Number: 1

From Corporal Sean Sueaquan

To Corporal Sean Sueaquan

Cc:

Date/Time Sent 04/13/2021 09:16

Instructions From [Corporal Sean Sueaquan] To [Corporal Sean Sueaquan]

Use Kang's original SoF21-0003, to complete this Response to Resistance

Comments/Response From [Corporal Sean Sueaquan]

[Corporal Sean Sueaquan has re-assigned the incident to Corporal Sean Sueaquan]

Routing Number: 2

From Corporal Sean Sueaquan

To Lieutenant Torrance Garvin

Cc:

Date/Time Sent 04/13/2021 10:33

Instructions From [Corporal Sean Sueaquan] To [Lieutenant Torrance Garvin]

This June 7, 2019, incident was originally submitted by CPL Kang on August 3, 2019, as a Show of Force - SoF21-0003. Before it could be corrected/changed to a Response to Resistance, CPL Kang was terminated and a new entry was resubmitted/duplicated to properly document this incident.

When this Response to Resistance entry was duplicated [from SoF21-0003], the Show of Force/ Use of Force and Crisis Details did not populate and had to be done manually. Moreover, in CPL Kang's initial SoF, he selected "Expandable Baton" as the type of force used, which was changed to "Firearm", based in part on his narrative that he "Deployed 2 less lethal/supersock rounds".

In addition, we added the evidence.com link/URL, of CPL Kang's BWC for this incident, since it was not included in with the initial SoF that was submitted.

Please review and forward with you findings

Comments/Response From [Lieutenant Torrance Garvin]

This is LOT for Sgt Arango & Cpl. D. Kang

Routing Number: 3

From Lieutenant Torrance Garvin

To Captain David Gay

Cc:

Date/Time Sent 05/03/2021 02:19

Instructions From [Lieutenant Torrance Garvin] To [Captain David Gay]

Capt. Gay,

Here is the LOT for Sgt Arango & Cpl Kang

Comments/Response From [Captain David Gay]

[Forwarded by Captain David Gay]

Routing Number: 4

From Captain David Gay

To Lieutenant Torrance Garvin

Cc:

Date/Time Sent 06/04/2021 11:12

Instructions From [Captain David Gay] To [Lieutenant Torrance Garvin]

Please check your e-mail.

Thnaks

Comments/Response From [Lieutenant Torrance Garvin]

Changes were made to reflect that either officer is still present with our agency

Routing Number: 5

From Lieutenant Torrance Garvin

To Captain David Gay

Cc:

Date/Time Sent 06/13/2021 00:21

Instructions From [Lieutenant Torrance Garvin] To [Captain David Gay]

Capt. Gay,

The changes were made to reflect that neither officer is employed with SPD agency and no further action is needed for this incident.

Comments/Response From [Captain David Gay]

[Forwarded by Captain David Gay]

Routing Number: 6

From Captain David Gay

To Lieutenant Torrance Garvin

Cc:

Date/Time Sent 06/16/2021 15:33

Instructions From [Captain David Gay] To [Lieutenant Torrance Garvin]

Torrance,

Address the issues in my e-mail and resubmit.

Thanks

Comments/Response From [Lieutenant Torrance Garvin]

Capt. Gay

All necessary corrections have been made to LOT & Memo

Routing Number: 7

From Lieutenant Torrance Garvin

To Captain David Gay

Cc:

Date/Time Sent 06/16/2021 23:00

Instructions From [Lieutenant Torrance Garvin] To [Captain David Gay]

Capt. Gay,

Corrections made to LOT & Memo

Comments/Response From [Captain David Gay]

[Forwarded by Captain David Gay]

Routing Number: 8

From Captain David Gay

To Captain David Gay

Cc:

Date/Time Sent 06/22/2021 13:38

Instructions From [Captain David Gay] To [Captain David Gay]

I need to upload an amended LOT

Comments/Response From [Captain David Gay]

Routing was NOT completed in BlueTeam. The incident was moved into IAPro by IAPro user Lieutenant David Barefield

Routing Number: 9

From Captain David Barefield

To Captain David Gay

Cc:

Date/Time Sent 06/22/2021 13:49

Instructions From [Captain David Barefield] To [Captain David Gay]

Sending back so that you can upload attachments

Comments/Response From [Captain David Gay]

[Captain David Gay has re-assigned the incident to Captain David Gay]

Routing Number: 10

From Captain David Gay

To Major Robert Gavin

Cc:

Date/Time Sent 06/22/2021 13:51

Instructions From [Captain David Gay] To [Major Robert Gavin]

Assignment is complete. See the attached LOT and memo for details.

Comments/Response From [Major Robert Gavin]

Incident assignment and routing were closed out by IAPro user Corporal Sean Sueaquan and the incident was re-assigned and re-routed to Major Devonn C Adams [1440]

Routing Number: 11

From Interim Assistant Chief Robert Gavin

To Interim Assistant Chief Devonn Adams

Cc:

Date/Time Sent 06/22/2021 15:12

Instructions From [Interim Assistant Chief Robert Gavin] To [Interim Assistant Chief Devonn Adams]

This should have been sent to you for review

Comments/Response From [Interim Assistant Chief Devonn Adams]

Completion notes: I CONCUR WITH CAPTAIN GAY AND FINDINGS



Letter of Transmittal

TO: Roy Minter, Police Chief
THRU: Lenny Gunther, Assistant Chief
DeVonn Adams, Major
David Gay, Captain
FROM: Torrance Garvin, Lieutenant
DATE: April 28, 2021
SUBJECT: CRN#190607056

COMPLAINT:

This investigation was an internal complaint against The Warrant Squad that was assigned under The Special Investigations Section. The following officers are assigned to the Warrant Squad: Sgt. Octavio Arango, Cpl. Brandon Lord, Cpl. Daniel Kang and Apo. Ronald Reagin. The Warrant Squad was tasked with apprehending offenders with outstanding warrants from Savannah Police Department.

On July 1 and July 3, 2019, the Warrant Squad was attempting to locate Pernell Drayton who had outstanding warrants for aggravated assault, aggravated battery and cruelty to children. The Warrant Squad responded to various previous residences attempting to locate Drayton to no avail.

ALLEGATIONS:

Sgt. Octavio Arango, Payroll# 00173

SPD GO #ADM-002 Organization and Direction, IV, A

IV SUPERVISORY RESPONSIBILITY

- A. The responsibility of a supervisor is to account for employees under their supervision and to ensure that tasks are performed correctly and efficiently. A supervisor will be held responsible for issuing proper orders. To accomplish this responsibility, these orders must not be unlawful or in violation of Department rules and regulations or policies and procedures.





SPD GO# ADM-004 Oath of Office, Ethics and Conduct

AA. Orders - Orders from a superior to a subordinate will be in clear and understandable language, civil in tone, and issued in pursuit of SPD business.

1. Inappropriate Orders - No command or supervisory Officer will knowingly issue an order which is in violation of any law, ordinance, or Department rule. Employees who are given orders they feel to be unjust or contrary to rules and regulations must first obey the order to the best of their ability and then may proceed to appeal as provided below

Cpl. Daniel Kang, Payroll#12043

SPD GO# ADM-004 Oath of Office, Ethics and Conduct

AA. Orders - Orders from a superior to a subordinate will be in clear and understandable language, civil in tone, and issued in pursuit of SPD business.

3. Action upon receiving unlawful Orders - SPD employees receiving an unlawful, unjust, or improper order will, at the first opportunity, report in writing to the Chief of Police through official channels. This report will contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time. Extra-departmental action regarding such an appeal will be conducted through the office of the Chief of Police.

SPD GO #OPS-067 Body Worn Camera

B. Officer Responsibilities

C. Activation and Deactivation of Body Worn Camera

1. The BWC will be activated for all incidents involving citizen contacts. This would include, but is not limited to calls for service, traffic stops, activation of emergency equipment, suspicious person(s), vehicle contacts, use of force situations, warrant service, pursuits, arrest, if a pending citizen complaint is likely or any other significant event that would require supervisory notification. (CALEA 41.3.8 b, c)

RECOMMENDATIONS:

I recommend that the allegations against **Sgt. Octavio Arango**

SPD GO #ADM-002 Organization and Direction, IV, A

SUSTAINED



SPD GO#ADM-004 Oath of Office, Ethics and Conduct, AA; 1

SUSTAINED

I recommend that the allegations against Cpl. Daniel Kang

SPD GO# ADM-004 Oath of Office, Ethics and Conduct, AA; 3

SUSTAINED

SPD GO #OPS-067 Body Worn Camera, B, C

SUSTAINED

RATIONALE:

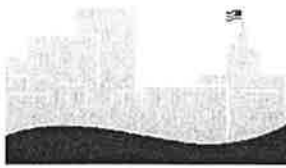
On 08/03/2019, The Warrant Squad executed arrest warrants at 920 Mohawk St, Apt 8F. It was determined that Pernell Drayton had active arrests warrants for Aggravated Battery, Cruelty to Children, and Aggravated Assault. It was also discovered that Drayton's live-in girlfriend, Carol Quinones, had an active Probation Violation warrant.

As the unit approached the apartment, there was a sign stating, "Trespassers will be shot" on the front window. Cpl. Lord knocked on the front door and Quinones answered the door with two small children. Quinones stated that Mr. Drayton was not present. Quinones was informed that she had an active misdemeanor Probation Violation Warrant. Her sister was to take custody of her two children.

Quinones stated that she did not want anyone going into her apartment and wanted the door to be left unlocked for her sister. The decision to enter the apartment to look for Drayton was made by Sgt. Arango due to Quinones suspicious behavior. The Warrant Squad proceeded to enter and look for Mr. Drayton. Announcements were made stating "POLICE" and that anyone in the apartment needed to advise. Apo. Reagin advised he observed movement in through the bathroom door. After repeated commands, the door opened, and Drayton was seated on the toilet. Drayton refused to show his hands after various commands, so Cpl. Kang shot Drayton with a less lethal/super sock munition.


The first round made Drayton stand up from the toilet, but he still did not comply. Cpl. Kang shot a second less lethal/super sock munition to Drayton. Apo. Reagin placed Drayton in handcuffs after a short struggle. Drayton was extremely disorderly, but after arrest and double locking he calmed down.

Drayton was secured inside the transport wagon and Quinones was moved from a marked unit to the transport wagon by Cpl. Lord. She was escorted to the wagon and pulled away from Cpl. Lord during escort. Quinones was pinned to the Cruiser door and advised to calm down. Both Drayton and Quinones were transported to Memorial Hospital for evaluation and clearance.



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X During this encounter, Sgt. Arango advised Cpl. Kang to disconnect his BWC which he did do. BWC footage was available on Cpl. Lord's and Apo. Reagin's BWC.

CORRECTIVE MEASURES:

Since both officer no longer works for this agency no further action is needed in this incident.

ADMINISTRATIVE INSIGHT:

Training Issues- N/A

Workplace Issues- N/A

Work / Complaint History- N/A

Demotion / Downgrade Considerations-

Relief from Duty Considerations- N/A


Douglas Factors

- 1) ____ The nature and seriousness of the offense, and its relation to the employee's duties, position and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated; The action
- 2) ____ The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position.
- 3) ____ The employees past disciplinary record.
- 4) ____ The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability.
- 5) ____ The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon the supervisor's confidence in the employee's ability to perform assigned duties.



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- 6) _____ Consistency of the penalty with those imposed upon other employees for the same or similar offenses.
- 7) _____ Consistency of the penalty with any applicable agency table of penalties; N/A
- 8) _____ The notoriety of the offense or its impact upon the reputation of the agency.
- 9) _____ The clarity with which the employee was on notice of any rules that were violated in committing the offense or had been warned about the conduct in question.
- 10) _____ Potential for the employee's rehabilitation.
- 11) _____ Mitigating circumstances surrounding the offense such as unusual job tension, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter.
- 12) _____ The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.

I hereby certify that I have considered the twelve (12) Douglas Factors as indicated above (with my initial next to each factor) for possible mitigation of the penalty.

NAME _____ DATE _____

CAPTAIN'S COMMENTS

SIGNATURE _____

DATE _____

MAJOR'S COMMENTS:

SIGNATURE _____



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DATE _____

ASSISTANT CHIEF'S COMMENTS

SIGNATURE _____

DATE _____

CHIEF'S COMMENTS:


SIGNATURE _____

DATE _____



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INTER-OFFICE CORRESPONDENCE

TO: Roy Minter, Chief of Police

Thru: Lenny Gunther, Assistant Chief of Police
Robert Gavin, Major Field Operations

FROM: David W. Gay, Captain, Criminal Investigations Division

SUBJECT: OPS# Pending (CRN 190607056)

DATE: June 22nd, 2021

After reviewing the file, I submit the following:

I do not sustain either of the two allegations against Corporal Kang.

I sustain the two allegations against Sergeant Arango. Additionally, I also sustain a third allegation against Sergeant Arango under GO# ADM-007.

Allegation #3

GO# ADM-007 Police Response to Aggression/ Resistance/ Force

II Non-Deadly Force

A Parameters for the use of non-deadly force

1. All officers who encounter a situation where the possibility of non-compliance to a lawful arrest exists, if possible, attempt to defuse the situation through verbal warning and persuasion.

This verbiage was taken from the policy in effect at the time of the incident and is included as part of the BlueTeam file.

Since both officers are no longer employed by SPD, I will not recommend discipline.

EXHIBIT 12

[Print](#)

Savannah Police Department Response To Resistance Report

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
08/03/2019	08/03/2019	12:40
Record ID Number	CRN	OPS #
3812	190607056	RR21-0105
Date/Time Entered	Entered By	
03/16/2021 14:25	[IAPro entry - Corporal Sean Sueaquan]	
SPD BlueTeam LIVE Assigned Investigator	IAPro Assigned Investigator	
Major Devonn Adams - 1440	Un-assigned	

Incident Summary

Deployed 2 less lethal/supersock rounds
Used body pressure to immobilize suspect during handcuffing

Incident Location

Addresses

920 Mohawk Street, Savannah, GA, 31419

- Location of Occurrence: Chatham

Use of Force Details

Reason For Using Force	Service Being Rendered	More Than 1 Citizen Involved
Effecting Arrest	Serving A Warrant	Yes
Weather Condition	Light Condition	Distance to Citizen
Cloudy	Interior Lighting	7 feet to 10 feet
Citizen Injured	Citizen Hospitalized	Citizen Arrested
Yes	No	Yes
Citizen Build	Citizen Height	Citizen Influence Assessment
Larger than officer	5'7" to 5'9"	Agitated
Employee(s) Injured	Employee(s) Taken to Hospital	
No	Yes	

Crisis Details

Reporting/Involved Citizen

Pernell Drayton

Date of Birth: 10/18/1990 Race: Black Ethnicity: Non-Hispanic Gender: Male

Addresses

920 Mohawk Street, Savannah, GA, 31419

Phone Numbers [None Entered]

EXHIBIT 12

Role: Arrestee

Additional Snapshot Data

Homeless at time of involvement

[None Entered]

Perceived Limited English

[None Entered]

Primary Language

[None Entered]

Sexual Orientation

[None Entered]

Gender Expression

[None Entered]

Experiencing Mental Crisis (Officer Assessment)

[None Entered]

Experiencing Mental Crisis (Self Reported)

[None Entered]

Armed at Time of Incident

[None Entered]

Type of Resistance Citizen Used Against Employee

• Passive Resistance

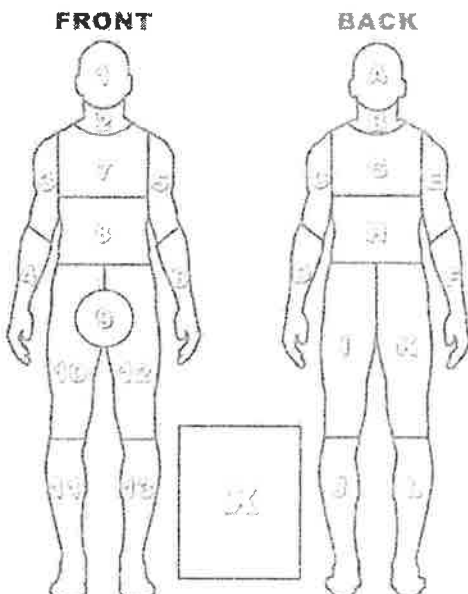
Injuries Sustained By Citizen

Injury

Region

Injury Location

Minor Injury



Charges Against Citizen

• Felony - Warrants
• Resist / Obstruct

Pernell Drayton

Date of Birth: Unknown Race: Black Ethnicity: Unknown Gender: Male

Addresses [None Entered]

Phone Numbers [None Entered]

Role: [None Entered]

Additional Snapshot Data

Homeless at time of involvement

[None Entered]

Perceived Limited English

[None Entered]

Primary Language

[None Entered]

Sexual Orientation

[None Entered]

Gender Expression

[None Entered]

Experiencing Mental Crisis (Officer Assessment)

[None Entered]

EXHIBIT 12

Experiencing Mental Crisis (Self Reported)

Armed at Time of Incident

[None Entered]

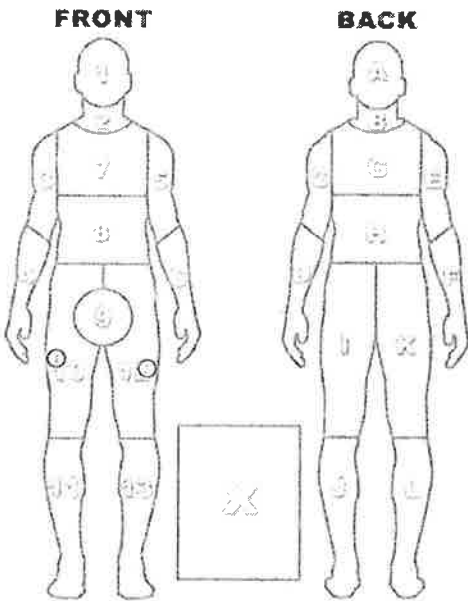
[None Entered]

Type of Resistance Citizen Used Against Employee

• Passive Resistance

Injuries Sustained By Citizen

Injury	Region	Injury Location
Minor Injury	10, 12	1, 2



Incident Employees

Corporal Daniel Kang - 12043

Assignment at time of Incident: Corporal Field Operations/Intelligence & Strategic Investigations/Strategic Investigative Unit Video Footage:

Issued - Activated - Effective

Role: Primary Officer

Policy Outcome: Not yet entered

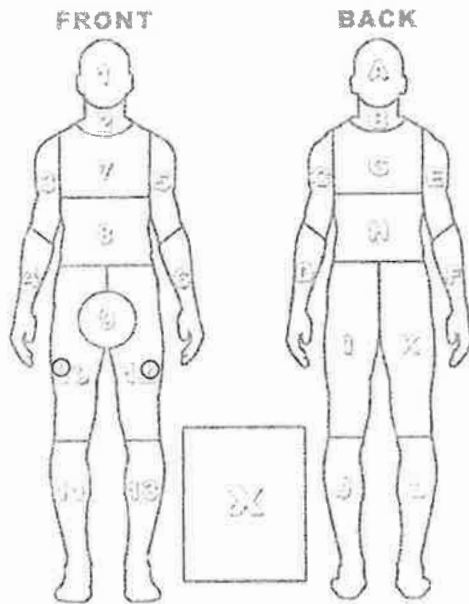
Force used by this Employee against Citizen

• Firearm - Force Effective: Yes

Less lethal force used by this Employee against Citizen

Force Used	Force Effective	Region	Point of Contact
Firearm	Yes	10, 12	1, 2

EXHIBIT 12



Injuries Sustained By Employee

Injury

Region

Injury Location

No injuries noted or visible

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

Date Attached	Attachment Description	Attachment Types
06/22/2021	Body-worn video	
06/22/2021	LOT- 190607056 Arrango	docx
06/15/2021	ADM-007 Police Response to Aggression, Resistance, and Force	pdf
06/22/2021	Daniel Kang body-worn camera video	
06/22/2021	KangArangoUoC memo	pdf
04/13/2021	CPL Kang's BWC from 6/7/2019	

Assignment History

Date/Time Sent	From	To	Activity
04/13/2021 09:16	Cor S Sueaquan		Field status changed in IAPro from to Field assigned
04/13/2021 09:16	Cor S Sueaquan	Corporal Sean Sueaquan	IAPro assigned

EXHIBIT 12

04/13/2021 10:33	Corporal Sean Sueaquan	Lieutenant Torrance Garvin	Incident re-assigned by Corporal Sean Sueaquan to Lieutenant Torrance Garvin for further work-up.
06/22/2021 13:48	Lie D Barefield		Field status changed in IAPro from Completed - review pending to Released
06/22/2021 13:49	Lie D Barefield		Field status changed in IAPro from Released to Field assigned
06/22/2021 13:49	Lie D Barefield	Captain David Gay	IAPro assigned
06/22/2021 13:51	Captain David Gay	Major Robert Gavin	Incident re-assigned by Captain David Gay to Major Robert Gavin for further work-up.
06/22/2021 15:12	Cor S Sueaquan	Major Devonn Adams	IAPro assigned as part of IAPro re-route
07/06/2021 15:07	Cor S Sueaquan		Field status changed in IAPro from Completed - in holding bin to Released

Chain of Command History

Routing Number: 1

From Corporal Sean Sueaquan
To Corporal Sean Sueaquan

Cc:

Date/Time Sent 04/13/2021 09:16

Instructions From [Corporal Sean Sueaquan] To [Corporal Sean Sueaquan]

Use Kang's original SoF21-0003, to complete this Response to Resistance

Comments/Response From [Corporal Sean Sueaquan]

[Corporal Sean Sueaquan has re-assigned the incident to Corporal Sean Sueaquan]

Routing Number: 2

From Corporal Sean Sueaquan

To Lieutenant Torrance Garvin

Cc:

Date/Time Sent 04/13/2021 10:33

Instructions From [Corporal Sean Sueaquan] To [Lieutenant Torrance Garvin]

This June 7, 2019, incident was originally submitted by CPL Kang on August 3, 2019, as a Show of Force - SoF21-0003. Before it could be corrected/changed to a Response to Resistance, CPL Kang was terminated and a new entry was resubmitted/duplicated to properly document this incident. When this Response to Resistance entry was duplicated [from SoF21-0003], the Show of Force/ Use of Force and Crisis Details did not populate and had to be done manually. Moreover, in CPL Kang's initial SoF, he selected "Expandable Baton" as the type of force used, which was changed to "Firearm", based in part on his narrative that he "Deployed 2 less lethal/supersock rounds". In addition, we added the evidence.com link/URL, of CPL Kang's BWC for this incident, since it was not included in with the initial SoF that was submitted. Please review and forward with you findings

Comments/Response From [Lieutenant Torrance Garvin]

EXHIBIT 12

This is LOT for Sgt Arango & Cpl. D. Kang

Routing Number: 3

From

Lieutenant Torrance Garvin

To

Captain David Gay

Cc:

Date/Time Sent

05/03/2021 02:19

Instructions From [Lieutenant Torrance Garvin] To [Captain David Gay]

Capt. Gay, Here is the LOT for Sgt Arango & Cpl Kang

Comments/Response From [Captain David Gay]

[Forwarded by Captain David Gay]

Routing Number: 4

From

Captain David Gay

To

Lieutenant Torrance Garvin

Cc:

Date/Time Sent

06/04/2021 11:12

Instructions From [Captain David Gay] To [Lieutenant Torrance Garvin]

Please check your e-mail. Thnaks

Comments/Response From [Lieutenant Torrance Garvin]

Changes were made to reflect that either officer is still present with our agency

Routing Number: 5

From

Lieutenant Torrance
Garvin

To

Captain David Gay

Cc:

Date/Time Sent

06/13/2021 00:21

Instructions From [Lieutenant Torrance Garvin] To [Captain David Gay]

Capt. Gay, The changes were made to reflect that neither officer is employed with SPD agency and no further action is needed for this incident.

Comments/Response From [Captain David Gay]

[Forwarded by Captain David Gay]

Routing Number: 6

From

Captain David Gay

To

Lieutenant Torrance Garvin

Cc:

Date/Time Sent

06/16/2021 15:33

Instructions From [Captain David Gay] To [Lieutenant Torrance Garvin]

EXHIBIT 12

Torrance, Address the issues in my e-mail and resubmit. Thanks

Comments/Response From [Lieutenant Torrance Garvin]

Capt. Gay All necessary corrections have been made to LOT & Memo

Routing Number: 7

From

Lieutenant Torrance Garvin

To

Captain David Gay

Cc:

Date/Time Sent

06/16/2021 23:00

Instructions From [Lieutenant Torrance Garvin] To [Captain David Gay]

Capt. Gay, Corrections made to LOT & Memo

Comments/Response From [Captain David Gay]

[Forwarded by Captain David Gay]

Routing Number: 8

From

Captain David Gay

To

Captain David Gay

Cc:

Date/Time Sent

06/22/2021 13:38

Instructions From [Captain David Gay] To [Captain David Gay]

I need to upload an amended LOT

Comments/Response From [Captain David Gay]

Routing was NOT completed in BlueTeam. The incident was moved into IAPro by IAPro user Lieutenant David Barefield

Routing Number: 9

From

Lieutenant David Barefield

To

Captain David Gay

Cc:

Date/Time Sent

06/22/2021 13:49

Instructions From [Lieutenant David Barefield] To [Captain David Gay]

Sending back so that you can upload attachments

Comments/Response From [Captain David Gay]

[Captain David Gay has re-assigned the incident to Captain David Gay]

Routing Number: 10

From

Captain
David Gay

To

Major Robert
Gavin

Cc:

EXHIBIT 12

Date/Time Sent

06/22/2021

13:51

Instructions From [Captain David Gay] To [Major Robert Gavin]

Assignment is complete. See the attached LOT and memo for details.

Comments/Response From [Major Robert Gavin]

Incident assignment and routing were closed out by IAPro user Corporal Sean Sueaquan and the incident was re-assigned and re-routed to Major Devonn C Adams [1440]

Routing Number: 11

From

Major Robert Gavin

To

Major Devonn Adams

Cc:

Date/Time Sent

06/22/2021 15:12

Instructions From [Major Robert Gavin] To [Major Devonn Adams]

This should have been sent to you for review

Comments/Response From [Major Devonn Adams]

Completion notes: I CONCUR WITH CAPTAIN GAY AND FINDINGS